

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:501
ANSWERED ON:14.08.2007
RIGHT TO EDUCATION BILL
Athawale Shri Ramdas

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) the present status of Right to Education Bill;
- (b) whether the Government has given concession to States for implementation of Right to Education Bill;
- (c) if so, the reasons for giving concession to States for implementation of Right to Education Bill;
- (d) the names of States which have lodged objections to implementation of Right to Education Bill; and
- (e) the details of the main objections raised by State Governments?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI M.A.A. FATMI)

(a) to (e) In pursuance of Article 21A of the Constitution, which makes education a Fundamental Right for children in the age group of 6-14 years by providing that "the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine", a draft Model Right to Education Bill, 2006 was formulated and circulated as framework to the States/UTs with a view to seek their comments thereon. In order to motivate and incentivise the State Governments to adopt the Model Right to Education Bill, 2006, it was proposed that the scale of funding under Sarva Shiksha Abhiyan (SSA) be made contingent upon enactment of appropriate State Acts on free and compulsory education where none exist, or suitable adaptation of existing Acts. The comments from 23 States/UTs have been received.

The main objections raised by the States and UTs relate to the following issues:

1. Proposed replacement of the Central Legislation by a Model Bill for State Legislation.
2. Linkage of SSA funding with State/UT enactment of Model Right to Education Bill or modification of existing State/UT Acts
3. Making elementary education first charge on revenues of each State Government, next only to law and order
4. Financial liability for free and compulsory education to be borne by the States/ UTs.